

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SEVEN NETWORKS, LLC,

Plaintiff,

v.

MOTOROLA MOBILITY LLC,

Defendant.

Civil Action No. 3:21-cv-1036-N

JURY TRIAL DEMANDED

JOINT MOTION TO MODIFY THE SCHEDULING ORDER

Plaintiff SEVEN Networks, LLC and Defendant Motorola Mobility LLC (together, the parties) submit this joint motion to modify certain dates in the Court's February 26, 2024 Agreed Order Modifying the Scheduling Order (Dkt. No. 243) and respectfully show the following:

1. Under the Court's Modified Scheduling Order, rebuttal expert reports are due on May 1, 2024. The deadline for the parties to file dispositive and *Daubert* motions is currently May 16, 2024.

2. The parties have agreed to extend the deadline to serve rebuttal expert reports from May 1, 2024 to May 3, 2024.

3. The parties have worked diligently to schedule the depositions of the expert witnesses. However, due to scheduling conflicts of the expert witnesses, expert depositions are unable to be completed until May 16, 2024. The parties seek two (2) additional business days to prepare and file motions.

4. Under the proposed schedule, rebuttal reports will be due May 3, 2024, and motions will be due on May 20, 2024. Discovery will still close May 16, 2024.

5. Good cause exists for this request because the requested extensions are necessary to permit orderly and complete discovery.

Dated: April 29, 2024

Respectfully submitted,

/s/ David J. Shaw

Justin P.D. Wilcox (*pro hac vice*)

David J. Shaw (*pro hac vice*)

DESMARAIS LLP

1899 Pennsylvania Avenue NW Suite 400

Washington, DC 20006

Telephone: 202-451-4900

Facsimile: 202-451-4901

Email: jwilcox@desmaraisllp.com

dshaw@desmaraisllp.com

John M. Desmarais (*pro hac vice*)

Steven M. Balcof (*pro hac vice*)

Ryan G. Thorne (*pro hac vice*)

DESMARAIS LLP

230 Park Avenue

New York, NY 10169

Telephone: 212-351-3400

Facsimile: 212-351-3401

Email: jdesmarais@desmaraisllp.com

sbalcof@desmaraisllp.com

rthorne@desmaraisllp.com

Eric Findlay (State Bar No. 00789886)

Brian Craft (State Bar No. 04972020)

FINDLAY CRAFT, P.C.

7270 Crosswater Avenue, Suite B

Tyler, TX 75703

Telephone: 903-534-1100

Facsimile: 903-534-1137

Email: efindlay@findlaycraft.com

bcraft@findlaycraft.com

**ATTORNEYS FOR
DEFENDANT MOTOROLA
MOBILITY LLC**

/s/ Sam Baxter

Samuel F. Baxter Lead Attorney

Texas State Bar No. 01938000

sbaxter@mckoolsmith.com

Jennifer Truelove
Texas State Bar No. 24012906
jtruelove@mckoolsmith.com
MCKOOL SMITH, P.C.
104 East Houston, Suite 300
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

Radu Lelutiu rleluti@mckoolsmith.com
Kevin Schubert
kschubert@mckoolsmith.com
Chris McNett
cmcnett@mckoolsmith.com
MCKOOL SMITH, P.C.
1301 Avenue of the Americas, 32nd Floor
New York, NY 10019

Eric Hansen
Texas State Bar No. 19196650
ehansen@mckoolsmith.com
MCKOOL SMITH, P.C.
300 Crescent Court, Suite 1500
Dallas, Texas 75201

Geoffrey Smith
Texas State Bar No. 24041939
gsmith@mckoolsmith.com
MCKOOL SMITH, P.C.
303 Colorado Street, Suite 2100
Austin, Texas 78701

**ATTORNEYS FOR PLAINTIFF SEVEN
NETWORKS, LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing was electronically served on all parties of record through the CM/ECF system and via email on April 29, 2024.

/s/ Kevin Schubert

CERTIFICATE OF CONFERENCE

Counsel for Motorola has conferred with counsel for SEVEN. The parties jointly request the relief sought herein.

/s/ Kevin Schubert